

TENNESSEE SEX OFFENDER TREATMENT BOARD

POLICY NO. 14

Sex Offender Risk Evaluation Standard

Purpose:

To establish a standard for the completion of sex offender risk evaluations. This policy is in effect for all Approved Evaluators regardless of the payment method for the evaluation.

The completion of a sex offender risk evaluation, commonly known as a Psychosexual Evaluation, requires the following:

- The evaluation will identify the level of risk for re-offense, the offender's pattern of deviant arousal (what type of sexual offense is the offender at risk to commit), amenability to treatment, and risk management strategies specific to the offender.
- A complete review of records obtained through the court, the investigating agency, DCS, TDOC, and the client. Any and all medical information provided by the offender must be verified through collateral sources such as the medical facility, diagnosing authority, or institution.
- Face-to-face clinical interviews in which the clinician identifies the presence of dynamic and static risk factors supported by literature to be associated with risk. The clinical interview shall be conducted in a manner that allows the clinician sufficient time and information to determine the presence and development of risk factors associated with the offender who is the subject of the assessment. General risk factors that cannot be applied directly to the offender should not be listed in the report.
- A complete social and sexual history including examining any concerns developed in childhood, intimacy deficits, attitudes and distortions, negative peer influences, emotional and sexual self-regulation and any other dynamic variables that may impact the offender's risk to re-offend sexually or behaviorally. The sexual history shall comprise a significant portion of the clinical interview and report.
- An actuarial assessment tool (i.e. Static 99) to identify offender's current risk level.
- Specialized Sex Offender Testing, (i.e. cognitive distortion scales/inventories, attitudes supportive of sexual offending scales/inventories, and sexual interest scales/inventories). While this testing provides information that may be beneficial to the clinician, this should not be a main focus of the evaluation. Specialized Sex Offender testing is an enhancement to the clinical interview, but it should be utilized only as necessary to gather additional information.
- Objective Testing, (e.g. detecting deception, polygraph, Layered Voice Analysis, FMRI, detecting deviant interest/arousal, plethysmograph, VASI, Abel Screen, Affinity).
- A written report which includes the offender's assessed risk level and recommendations, as well as any diagnosis, if appropriate.
- The evaluation shall include corroborative information from a variety of sources and cannot not rely solely on the offender's self-report.
- Multiple clinical interviews, family interviews, and non-offending spouse interviews shall be mandatory if considering a community placement. If the offender does not sign consent to speak with family, that shall be noted in the report. It will often be necessary to meet with the offender in person more than once to obtain a full sexual history and flesh out any details from the prior clinical interviews.

- The evaluation report shall not be withheld for payment of funds, and it shall be delivered to the requesting agency within 30 days of completing testing and interviews.

The standard for Sex Offender Risk Evaluations is to be completed Post Conviction, however, the Board recognizes that in some instances, the court may request, or the parties may agree that an evaluation needs to be completed pre-trial. In those instances, the same standard shall apply. The evaluator shall notify the court that the evaluation cannot prove guilt or innocence and that the evaluator must assume that the alleged sex offense was committed by the offender in order to properly assess risk. If the offender is unwilling or unable to participate in objective testing as noted above, the evaluator shall notify the court that the evaluation cannot be completed.

******Approved June 24, 2021******